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6
Counsel for CHRISTOPHER BECKER
7

8 UNITED STATES DISTRICT COURT
9
10 DISTRICT OF NEVADA

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,

14 vs.

15 CHRISTOPHER BECKER
16 Defendant.

3:10-cr-00127-RCJ-VPC

MOTION TO CORRECT SENTENCE

17 CERTIFICATION: This Motion is timely filed within fourteen days of sentencing.

18 Defendant, CHRISTOPHER BECKER, by and through his attorney of record,
19 LAUREN GORMAN, Assistant Federal Public Defender, hereby moves this Honorable Court, to
20 correct a sentence imposed in connection with the revocation proceeding held on November 2, 2014.
21 This motion is based on Federal Rule of Criminal Procedure 35 and upon the following Points and
22 Authorities. Assistant United States Attorney Sue Fahami does not oppose this motion.
23

POINTS AND AUTHORITIES

24 On November 2, 2014, this Court imposed sentence in connection with the revocation
25 of Mr. Becker's supervised release. The Court inquired whether Mr. Becker paid off his \$100.00
26 special assessment. Neither the Department of Probation nor the parties had a record of Mr. Becker
27 paying the special assessment though undersigned counsel noted that her client advised her that he
28

1 believed it was paid. The Court ordered Mr. Becker to serve three months and fifteen days in
2 custody in connection with the revocation of his supervised release and his failure to pay his \$100.00
3 special assessment. The Court specifically noted that the fifteen days in custody was imposed
4 because it did not have proof that Mr. Becker paid his \$100.00 special assessment. The Court stated,
5 however, that the Court would reconsider the fifteen days in custody if proof were shown that Mr.
6 Becker paid off his \$100.00 special assessment. See minutes CR#58 ("The Court imposes an
7 additional 15 days imprisonment for failure to pay the \$100.00 special assessment. The Court would
8 reconsider the additional 15 days imprisonment upon proof that the \$100.00 special assessment was
9 in fact paid.")

10 Subsequent to the revocation hearing, undersigned counsel contacted the Financial
11 Litigation Unit of the United States Attorney's Office. The Litigation Unit provided undersigned
12 counsel with a printout confirming that Mr. Becker had indeed paid a total of \$869.00 toward his
13 outstanding financial obligations. (Exhibit A) They additionally noted that the only balances due
14 were \$231.00 toward restitution and the fine of \$1,000.00. They advised that the payments received
15 are applied in the order noted on the 'Schedule of Payments' section of the Judgement. (See
16 Judgment (CR#22)). The first obligation paid is the assessment. Therefore the assessment was
17 already paid.

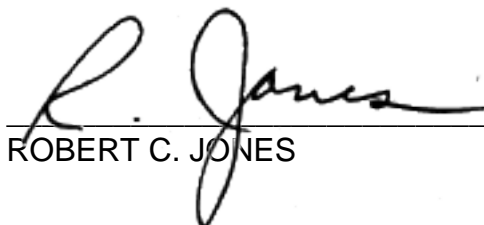
18 Undersigned counsel also contacted the Financial Office of the U.S. District Court
19 and obtained a printout confirming that the special assessment was indeed paid and that an additional
20 \$769.00 was paid toward restitution. (Exhibit B).

21 To the extent that fifteen days of the sentence imposed in connection with this case
22 was based on the premise that Mr. Becker failed to pay his special assessment, the sentence should
23 be corrected and the sentence imposed should be three months with no supervision to follow.

24 DATED this 4th day of November, 2014.

25 ORDER

26 IT IS SO ORDERED this 10th day of November, 2014.

27
28 
ROBERT C. JONES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that s/he is an employee in the law offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on November 4, 2014, a true and correct copy of the above and foregoing document was electronically filed and served on the person named below:

SUE FAHAMI
MEGAN RACHOW
Asst. United States Attorney
100 West Liberty Street
Suite 600
Reno NV 89501

By Email Transmission to:
Barbara Hunt
UNITED STATES PROBATION OFFICE
400 So. Virginia St., #103
Reno NV 89501

/s/ Bonnie S. Bell
Employee of the Federal Public Defender

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EXHIBIT A

United States Department of Justice
Consolidated Debt Collection System
Single Liability Payment History



Report Level: NV
PAYMENTS

For Report Parameters: 2011A67615 , 001 , 105763488

Report Date: 11/03/2014

Seq	Finance Code	Received Date	Payment Form	Received By	Received From	Deposit Nbr	Check Nbr	Scheduled Payment Amount	Scheduled Payment Date	Current Liability	Payment Amount
000003	PMNT	03/05/2014	TR	A	CHRISTOPHER BECKER		TOP				\$1,231.00
Total											\$869.00
											\$869.00

Limited Official Use

United States Department of Justice
Consolidated Debt Collection System
Single Liability Payment History

Report Level: NV

For Report Parameters: 2011A67615 , 001 , 105763488

Report Date: 11/03/2014



REVERSALS

Sorry, There are no Payment Reversals.

Limited Official Use

EXHIBIT B

U.S. Courts
Case Inquiry Report
Case Num: DNVX310CR000127; Party Num: N/A; Payee Code: N/A
Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y

Case Number		DNVX310CR000127	Case Title		USA V CHRISTOPHER BECKER			
Summary Party Information:								
Party#	Party Code	Party Name	Account Code	Debt Type	JS Account #	Total Owed	Total Collected	Total Outstanding
001	PAR1213	CHRISTOPHER BECKER	PCCA1054	SPECIAL PENALTY ASSESSMENT		100.00	100.00	0.00
001	PAR1213	CHRISTOPHER BECKER	PCCA1054	VICTIM RESTITUTION		1,000.00	769.00	231.00
						1,100.00	869.00	231.00
Summary Payee Information:								
Payee Code		Payee Name		Total Owed		Total Paid		Total Outstanding
CONV000188		WELLS FARGO BANK		1,000.00		0.00		1,000.00
						1,000.00	0.00	1,000.00
Registry Information:								
Depository Code		Depository Name		Account Type		Account Number	Depository Total	

U.S. Courts
Case Inquiry Report
Case Num: DNVX310CR000127; Party Num: N/A; Payee Code: N/A
Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y

Detailed Party Information:

Party # **Party Code** **Party Name**
001 PAR1213 CHRISTOPHER BECKER

Debt Type SPECIAL PENALTY ASSESSMENT				
	Principal	Interest	Penalty	Total
Fund	504100			N/A
Owed	100.00	0.00	0.00	100.00
Collected	100.00	0.00	0.00	100.00
Outstanding	0.00	0.00	0.00	0.00
Apportioned	0.00	0.00	N/A	0.00
Paid	0.00	0.00	N/A	0.00
Refunded	0.00	0.00	N/A	0.00
Available	100.00	0.00	N/A	100.00
VICTIM RESTITUTION				
	Principal	Interest	Penalty	Total
Fund	6855XX	6855XX	109900	N/A
Owed	1,000.00	0.00	0.00	1,000.00
Collected	769.00	0.00	0.00	769.00
Outstanding	231.00	0.00	0.00	231.00
Apportioned	0.00	0.00	N/A	0.00
Paid	0.00	0.00	N/A	0.00
Refunded	0.00	0.00	N/A	0.00
Available	769.00	0.00	N/A	769.00
Totals				
Owed	1,100.00	0.00	0.00	1,100.00
Collected	869.00	0.00	0.00	869.00
Outstanding	231.00	0.00	0.00	231.00
Apportioned	0.00	0.00	N/A	0.00
Paid	0.00	0.00	N/A	0.00
Refunded	0.00	0.00	N/A	0.00
Available	869.00	0.00	N/A	869.00

U.S. Courts
Case Inquiry Report
Case Num: DNVX310CR000127; Party Num: N/A; Payee Code: N/A
Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y

Detailed Payee Information:

Payee Code	Payee Name
CONV000188	WELLS FARGO BANK
FRAUD INVESTIGATIONS	
P O BOX 912038	
DEPT 2038	
DENVER, CO 80291-2038	

Owed	Principal	Interest	Total
	1,000.00	N/A	1,000.00
Paid	0.00	0.00	0.00
Refunded	0.00	0.00	0.00
Outstanding	1,000.00	N/A	1,000.00
Apportioned	0.00	0.00	0.00

Transaction Information:

Document Type/Number*	Document Date	Accomplished Date	Line Type	Payee Line#	Amount	Party/Payee Name	Doc Actn	Trans Type	Fund
CT T030514DNVX310CR0001270012	03/05/2014	03/20/2014	PR						
DNVX310CR000127-001			SPECIAL PENALTY ASSESSMENT			CHRISTOPHER BECKER			
				1	100.00		O	TOP3	504100
CT T030514DNVX310CR0001270012	03/05/2014	03/20/2014	PR						
DNVX310CR000127-001			VICTIM RESTITUTION			CHRISTOPHER BECKER			
				2	769.00		O	TOP2	6855XX

*** Document Type Legend**

Document Type	Document Type Name
CT	Cash Receipt - CCA Automated